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10 Attorney for Defendant  
11 CITY OF LOS ANGELES

12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 (1) WEST VALLEY CAREGIVERS, ) Case No.: CV10-4150 SJO (AJWx)

15 an Unincorporated Not-For Profit )  
16 Association; (2) ROYAL HERB )

17 MERCHANG, a California Non-Profit ) Honorable S. James

18 Mutual Benefit Corporation; (3) ) Otero

19 HERBAL HEALING'S HERBAL )

20 HEALING CENTER, a California Not- )

21 For Profit Limited Liability Company; )

22 (4) HOLLYWOODS )

23 COMPASSIONATE CAREGIVERS, a )

24 California Non-Profit Mutual Benefit )

25 Corporation; (5) LOS ANGELES )

26 MEDICAL COLLECTIVE, a California )

27 Non-Profit Mutual Benefit Corporation; )

28 (6) INFINITY PHILANTHROPY )

GLOBAL DBA ALLEVIATIONS, a )

California Non-Profit Mutual Benefit )

Corporation; (7) PACOIMA )

RECOVERY COLLECTIVE INC, a )

California Non-Profit Mutual Benefit )

Corporation; (8) HERBAL LOVE )

CAREGIVERS ON THE )

BOULEVARD, a California Non-Profit )

Mutual Benefit Corporation;; (9) CAFE )

420, a California Non-Profit Mutual )

Benefit Corporation; (10) HELPING )

HINT CAREGIVERS, a California )

Non-Profit Mutual Benefit Corporation; )

(11) TRADITIONAL HERBAL )

CENTER, INC COLLECTIVE )

CAREGIVERS, a California Non-Profit )

Mutual Benefit Corporation; (12) )

T.L.P.C., a California Non-Profit )

**DECLARATION OF COLLEEN  
COURTNEY IN SUPPORT OF  
DEFENDANT CITY OF LOS  
ANGELES' MOTION TO DISMISS  
COMPLAINT ON ABSTENTION  
AND OTHER GROUNDS**

DATE: July 19, 2010

TIME: 10:00 a.m.

COURTROOM: 1 (Spring Street)

Mutual Benefit Corporation; (13)  
LAHC 3 COLLECTIVE, a California  
Non-Profit Mutual Benefit Corporation;  
(14) UNIVERSAL CAREGIVERS  
INC., a California Mutual Benefit  
Corporation;

Plaintiffs,

vs.

CITY OF LOS ANGELES, a  
government entity; DOES 1 through 10,  
inclusive,

Defendants.

I, COLLEEN M. COURTNEY, declare that I have personal knowledge of the following facts, and that if called as a witness I could, and would testify as follows:

1. I am an attorney licensed in the State of California and am counsel of record for the City of Los Angeles (hereafter "City") in the above referenced action.

2. I make this Declaration in support of the City's motion to dismiss the Complaint on abstention and other grounds.

3. By way of background, during the past month or so the City has been named as a defendant in 27 state lawsuits, filed by dozens of different entities and individuals, challenging the City's Medical Marijuana Ordinance, Ordinance No. 181069 ("Ordinance"). The Ordinance, which creates a process by which medical marijuana collectives can apply for status as a lawful marijuana collective registered under the Ordinance, became operative June 7, 2010. To date, Plaintiffs in 25 of the 27 cases filed against the City have sought ex parte temporary restraining orders, with 24-hour notice given in simultaneous and different courtrooms throughout Los Angeles in just in the past month.

4. All 27 state cases filed against the City involve common questions of fact and law concerning the Ordinance; the potential for disparate and contradictory rulings; as well as a large number of Plaintiffs, cases and witnesses.

5. The City anticipates that many more lawsuits, similar to the existing ones, will be filed in state court. In addition, as medical marijuana collectives applied to register starting June 7, 2010, the inevitable denial of some of their applications will also result in additional lawsuits being filed.

6. As of the date of this Declaration, I am aware of the following state actions pending against the City which presents various challenges to the Ordinance:

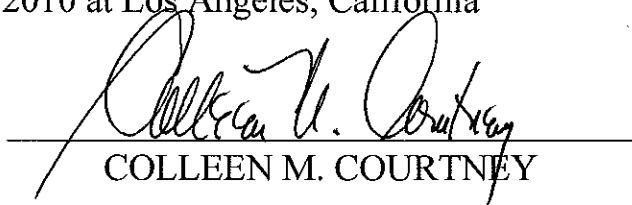
	<b>Case No.</b>	<b>Case Name</b>	<b>Date Filed</b>		<b>Trial Dept.</b>
1	BC436239	Holistic Cannabis, et al. v. City	4/20/10		309
2	BC436240	BB Collective Inc, et al. v. City.	4/20/10		309
3	BC438497	Herbology Inc. et al. v. City	5/25/10		309
4	BC438584	Cancare Collective, et al. v. City	5/26/10		309
5	BC438858	Canna Merchant et al. v. City	5/26/10		309
6	BC438586	Downtown Natural Caregivers Inc. , et al. v. City	5/26/10		309
7	BC438587	God's Gift, et al. v. City	5/26/10		309
8	BC438588	LA Area Herbal Delivery Inc. , et al. v. City	5/26/10		309
9	BC438589	Mid-City Cannabis Club, et al. v. City	5/26/10		309
10	BC438593	New Era Caregivers, et al. v. City	5/26/10		309
11	BC438594	Safe Life Caregivers, et al. v. City	5/26/10		309
12	BC438671	Kevin Anderson, et al. v. City	5/27/10		309
13	BC438772	Kush Korner V, et al. v. City	6/1/10		309
14	EC053150	Natural Choice Healing Center, et al. v. City	5/26/10		309
15	PC048354	Green Happiness, et al. v. City	5/26/10		309
16	BC438596	Colorado Quality Pain Relief Inc. , et al. v. City	5/26/10		309

17	LC089912	Green Valley Coll. Inc. v. City	5/26/10		309
18	BC438915	Hemp Factory, et al. v. City	6/3/10		309
19	BC439107	Canna Clinic, Inc. , et al. v. City	6/4/10		309
20	BC439023	Healthy, Wealthy and Wise, Inc. , et al. v. City	6/4/10		309
21	BC439123	Herbal Nutrition, et al. v. City	6/ 7/10		309
22	BC433942	Americans for Safe Access	3/18/10		13 (being transferred to 309)
23	BC440172	Organic Health Solutions, Inc. v. City	6/22/10		309
24	BC440036	Melrose Quality Pain Relief v. City	6/22/10(?)		309
25	BS126927	Patients of Timothy Leary Memorial, et al. v. City	6/15/10		309
26	BC439660	The Hollywood Collective v. City	6/14/10		Unknown at this time
27	BC439647	Kush Korner IV v. City	6/14/10		Unknown at this time

7. All but numbers 22, 26 and 27 above are now pending before the Honorable Anthony Mohr, in Department 309 of the Los Angeles Superior Court, Central Civil West. The City anticipates that numbers 22, 26 and 27 will be transferred to Department 309 in the near future. On June 23, 2010, Judge Mohr in Department 309 declared the actions now before the court to be complex litigation within the meaning of the California Standards of Judicial Administration for Complex Litigation and California Rules of Court. In order facilitate case management, document retrieval and case organization, on June 24, 2010, Judge Mohr issued an Order Authorizing Electronic Service directing all parties to use the services of CASEHOMEPAGE and its litigation system through a secure website. On July 8, 2010, Judge Mohr is scheduled to consider the City's motion to coordinate all 27 state cases.

1 I declare under penalty of perjury under the laws of the State of California and the  
2 United States of America that the foregoing is true and correct.

3 Executed June 25, 2010 at Los Angeles, California

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6 COLLEEN M. COURTNEY  
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